

APPENDIX D

Appendix D

Basis for Dismissal Per State

Alaska	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim, Time-Barred • FAC ¶ 535: Failure to State a Claim • FAC ¶ 536: Failure to State a Claim
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim
Bernanke	<ul style="list-style-type: none"> • FAC ¶¶ 300: Failure to State a Claim, Time-Barred • FAC ¶ 551: Failure to State a Claim, Time-Barred
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim¹	
<ul style="list-style-type: none"> • Dismissed to the same extent as the federal antitrust claims. 	
Demand for Unauthorized Remedies	
<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable • State Antitrust: Disgorgement unavailable 	

Arkansas	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim, Time-Barred • FAC ¶ 535: Failure to State a Claim, Time-Barred • FAC ¶ 536: Failure to State a Claim
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim, Time-Barred • FAC ¶ 551: Failure to State a Claim, Time-Barred
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim, Statute limited to in-state conduct
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim

¹ See Order at 2, *In re Google Digital Advert. Antitrust Litig.*, 1:21-md-03010-PKC (Dec. 14, 2022), ECF No. 417 (hereinafter “State Law Stipulation”) (stipulating that “the viability of any federal antitrust claim based on certain conduct, the parties stipulate that the Opinion and Order is also determinative of any state antitrust claim based on the same conduct”).

Arkansas	
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
	<ul style="list-style-type: none"> • Dismissed entirely
Demand for Unauthorized Remedies	
	<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable • State Antitrust: Disgorgement unavailable

Florida	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim, Time-Barred • FAC ¶ 535: Failure to State a Claim, Time-Barred • FAC ¶ 536: Failure to State a Claim, Time-Barred
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim, Time-Barred
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim, Time-Barred • FAC ¶ 551: Failure to State a Claim, Time-Barred
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim, Statute limited to in-state conduct
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
	<ul style="list-style-type: none"> • Dismissed to the same extent as the federal antitrust claims.
Demand for Unauthorized Remedies	
	<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable

Idaho	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim, Time-Barred • FAC ¶ 535: Failure to State a Claim, Time-Barred • FAC ¶ 536: Failure to State a Claim, Time-Barred
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim, Time-Barred
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim, Time-Barred • FAC ¶ 551: Failure to State a Claim, Time-Barred
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim

Idaho	
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
<ul style="list-style-type: none"> • Dismissed to the same extent as the federal antitrust claims. 	
Demand for Unauthorized Remedies	
<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable • State Antitrust: Disgorgement unavailable 	

Indiana	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim, Time-Barred • FAC ¶ 535: Failure to State a Claim, Time-Barred • FAC ¶ 536: Failure to State a Claim, Time-Barred
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim, Time-Barred
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim, Time-Barred • FAC ¶ 551: Failure to State a Claim, Time-Barred
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim, Time-Barred
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
<ul style="list-style-type: none"> • Dismissed to the same extent as the federal antitrust claims. 	
Demand for Unauthorized Remedies	
<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable 	

Kentucky	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim, Time-Barred • FAC ¶ 535: Failure to State a Claim, Time-Barred • FAC ¶ 536: Failure to State a Claim
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim, Time-Barred • FAC ¶ 551: Failure to State a Claim, Time-Barred

Kentucky	
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
<ul style="list-style-type: none"> • Dismissed to the same extent as the federal antitrust claims. 	
Demand for Unauthorized Remedies	
<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable • State Antitrust: Disgorgement unavailable 	

Louisiana	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim • FAC ¶ 535: Failure to State a Claim • FAC ¶ 536: Failure to State a Claim
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim • FAC ¶ 551: Failure to State a Claim
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim, Statute limited to in-state conduct
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
<ul style="list-style-type: none"> • Dismissed to the same extent as the federal antitrust claims. 	
Demand for Unauthorized Remedies	
<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable 	

Missouri	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim, Time-Barred • FAC ¶ 535: Failure to State a Claim, Time-Barred • FAC ¶ 536: Failure to State a Claim
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim

Missouri	
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim, Time-Barred • FAC ¶ 551: Failure to State a Claim, Time-Barred
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim, Statute limited to in-state conduct
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
<ul style="list-style-type: none"> • Dismissed to the same extent as the federal antitrust claims. 	
Demand for Unauthorized Remedies	
<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable • State Antitrust: Disgorgement unavailable 	

Mississippi	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim, Not Ongoing • FAC ¶ 535: Failure to State a Claim, Not Ongoing • FAC ¶ 536: Failure to State a Claim, Not Ongoing
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim, Not Ongoing
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim, Not Ongoing • FAC ¶ 551: Failure to State a Claim, Not Ongoing
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim, Not Ongoing
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim, Not Ongoing
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
<ul style="list-style-type: none"> • Dismissed entirely. 	
Demand for Unauthorized Remedies	
<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable, Restitution unavailable • State Antitrust: Disgorgement unavailable, Restitution unavailable 	

Montana	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim, Time-Barred • FAC ¶ 535: Failure to State a Claim, Time-Barred

Montana	
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 536: Failure to State a Claim, Time-Barred • FAC ¶ 543: Failure to State a Claim, Time-Barred
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim, Time-Barred • FAC ¶ 551: Failure to State a Claim, Time-Barred
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim, Time-Barred, Statute limited to in-state conduct
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
<ul style="list-style-type: none"> • Dismissed to the same extent as the federal antitrust claims. 	
Demand for Unauthorized Remedies	
<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable 	

Nevada	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim, Time-Barred • FAC ¶ 535: Failure to State a Claim, Time-Barred • FAC ¶ 536: Failure to State a Claim, Time-Barred
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim, Time-Barred
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim, Time-Barred • FAC ¶ 551: Failure to State a Claim, Time-Barred
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim, Time-Barred
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
<ul style="list-style-type: none"> • Dismissed to the same extent as the federal antitrust claims. 	
Demand for Unauthorized Remedies	
<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable • State Antitrust: Disgorgement unavailable 	

North Dakota	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim, Time-Barred • FAC ¶ 535: Failure to State a Claim, Time-Barred • FAC ¶ 536: Failure to State a Claim, Time-Barred
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim, Time-Barred
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim, Time-Barred • FAC ¶ 551: Failure to State a Claim, Time-Barred
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
<ul style="list-style-type: none"> • Dismissed to the same extent as the federal antitrust claims. 	
Demand for Unauthorized Remedies	
<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable 	

Puerto Rico	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim, Time-Barred • FAC ¶ 535: Failure to State a Claim, Time-Barred • FAC ¶ 536: Failure to State a Claim, Time-Barred
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim, Time-Barred
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim, Time-Barred • FAC ¶ 551: Failure to State a Claim, Time-Barred
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
<ul style="list-style-type: none"> • Dismissed to the same extent as the federal antitrust claims. 	
Demand for Unauthorized Remedies	
<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable, Civil penalties unavailable • State Antitrust: Civil penalties unavailable 	

South Carolina	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim, Time-Barred • FAC ¶ 535: Failure to State a Claim, Time-Barred • FAC ¶ 536: Failure to State a Claim, Time-Barred
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim, Time-Barred
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim, Time-Barred • FAC ¶ 551: Failure to State a Claim, Time-Barred
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim, Time-Barred, Statute limited to in-state conduct
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
<ul style="list-style-type: none"> • Dismissed to the same extent as the federal antitrust claims. 	
Demand for Unauthorized Remedies	
<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable 	

South Dakota	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim, Time-Barred • FAC ¶ 535: Failure to State a Claim, Time-Barred • FAC ¶ 536: Failure to State a Claim, Time-Barred
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim, Time-Barred
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim, Time-Barred • FAC ¶ 551: Failure to State a Claim, Time-Barred
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim, Time-Barred
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
<ul style="list-style-type: none"> • Dismissed to the same extent as the federal antitrust claims. 	
Demand for Unauthorized Remedies	
<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable 	

Texas	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim • FAC ¶ 535: Failure to State a Claim • FAC ¶ 536: Failure to State a Claim
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim • FAC ¶ 551: Failure to State a Claim
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim, Statute limited to in-state conduct
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
<ul style="list-style-type: none"> • Dismissed to the same extent as the federal antitrust claims. 	
Demand for Unauthorized Remedies	
<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable 	

Utah	
DTPA Allegations	
Reserve Price Optimization	<ul style="list-style-type: none"> • FAC ¶ 531: Failure to State a Claim, Time-Barred • FAC ¶ 535: Failure to State a Claim, Time-Barred • FAC ¶ 536: Failure to State a Claim, Time-Barred
Dynamic Revenue Share	<ul style="list-style-type: none"> • FAC ¶ 543: Failure to State a Claim, Time-Barred
Bernanke	<ul style="list-style-type: none"> • FAC ¶ 300: Failure to State a Claim, Time-Barred • FAC ¶ 551: Failure to State a Claim, Time-Barred
Header Bidding	<ul style="list-style-type: none"> • FAC ¶ 568: Failure to State a Claim, Time-Barred, Statute limited to in-state conduct
“Equal Footing”:	<ul style="list-style-type: none"> • FAC ¶ 587: Failure to State a Claim
Sale of Personal Information:	<ul style="list-style-type: none"> • FAC ¶ 582: Failure to State a Claim
State Antitrust Claim	
<ul style="list-style-type: none"> • Dismissed to the same extent as the federal antitrust claims. 	
Demand for Unauthorized Remedies	
<ul style="list-style-type: none"> • DTPA: Disgorgement unavailable • State Antitrust: Disgorgement unavailable 	